

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 226 be amended to read as follows:

- 1 Page 4, between lines 9 and 10, begin a new paragraph and insert:
- 2 "SECTION 4. IC 8-1.5-2-19 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 19. (a) A
- 4 municipality may not issue bonds, notes, or other obligations under this
- 5 chapter without the approval of the commission **if the bond, notes, or**
- 6 **other obligations are payable more than twelve (12) months after**
- 7 **their execution**, except as authorized by IC 8-1-2.2-11.
- 8 (b) If the evidence presented to the commission establishes that the
- 9 rates and charges proposed by the municipally owned utility will
- 10 provide sufficient funds for the operation, maintenance, and
- 11 depreciation of the utility, and to pay the principal and interest of the
- 12 proposed bond issue, together with a surplus or margin of at least ten
- 13 percent (10%) in excess, the commission shall so certify in its order
- 14 approving the issuance of bonds.
- 15 SECTION 5. IC 8-1.5-2-19.5 IS AMENDED TO READ AS
- 16 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 19.5. If a
- 17 municipality desires to purchase and install equipment for its utility
- 18 which requires more than three (3) months lead time for the supplier to
- 19 make such equipment and installation available, the legislative body
- 20 may, by ordinance, approve a contract therefor even though it does not
- 21 have sufficient funds appropriated or on hand to pay for such purchase
- 22 if the utility:
- 23 (1) has annual net operating revenues for the immediately
- 24 preceding calendar year sufficient to permit the municipality:

- 1 (A) to pay the principal of and interest on an issue of its utility  
2 revenue bonds in the principal amount necessary to fund such  
3 purchase (including engineering costs, legal costs, and costs of  
4 bond issuance associated therewith); and  
5 (B) a margin of safety which it deems necessary to market  
6 such bonds on acceptable terms;  
7 (2) **if required by section 19 of this chapter**, has received  
8 approval from the commission to issue bonds, notes, or other  
9 obligations sufficient to fund such purchase; or  
10 (3) has received approval from the commission to raise its rates  
11 and charges in an amount sufficient to permit the issuance of said  
12 bonds."  
13 Renumber all SECTIONS consecutively.  
(Reference is to ESB 226 as printed February 22, 2008.)

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Representative Welch